

#14

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Logemann et al.

Serial No.: to be assigned, a cpa of
08/812,025

Examiner: to be assigned (previous
Examiner R. Prouty)

Filed: herewith

Group Art Unit: to be assigned (previously
1652)

For: TRANSGENIC PATHOGEN-
RESISTANT ORGANISM

1c862 U.S. PTO
09/729141
12/01/00

INFORMATION DISCLOSURE STATEMENT

"Express Mail" Label No. EE 743250565 US
Date of Deposit: August 26, 1998

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Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10
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Washington, D.C. 20231.

Person mailing paper: Leroy Chick

Signature of person mailing paper: Leroy Chick

Assistant Commissioner of Patents
Washington, D.C. 20231

SIR:

In accordance with 37 C.F.R. § 1.56, Applicants respectfully request that the
references relating to the above-mentioned application listed herein in reverse chronological
order be made of record in the U.S. Patent and Trademark Office.

Attorney Docket No. 29542 FWC I CPA

- ☐ Enter the unentered amendment previously filed on _____
under 37 CFR 1.116 in the prior nonprovisional application.
- ☐ A preliminary amendment is enclosed.
- ☐ This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53 (d)(4).
☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:

- ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
- ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.

☒ Information Disclosure Statement (IDS) is enclosed.☒ PTO-1449☐ Copies of IDS Citations☒ Letter enclosed.

Small entity status:

- ☐ A small entity statement is enclosed.
- ☐ A small entity statement was filed in the prior nonprovisional application and such status is still and proper desired.
- ☐ is no longer claimed.

The filing fee has been calculated as shown below:

FOR	(Col. 1)		(Col. 2)*		Small Entity	OR	Other Than A	
	No.	Filed	No.	Extra	Rate		Rate	Fee
Basic Fee								
					\$395			\$790
Total Claims	2	-20=			x \$11=	\$	x \$22 =	\$
Ind. Claims	2	-3 =			x \$41 =	\$	x \$82 =	\$0
Multiple Dependent Claim					+ \$135 =	\$	+\$270=	\$
					Total	\$		\$790

* If the difference in Col. 1 is less than zero, enter "0" in Col. 2.

Calculation of extension fee (37 CFR 1.17(1)-(5)):

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Logemann et al.

Serial No.: to be assigned, a reissue
application of U.S. Patent
No. 5,804,184

Group Art Unit: to be assigned

Filed: herewith

Examiner: to be assigned

For: TRANSGENIC PATHOGEN-
RESISTANT ORGANISM

JC862 U.S. PRO
09/729141
12/01/00

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Washington, D.C. 20231.

Person mailing paper: Leroy Chick

Signature of person mailing paper: _____

Assistant Commissioner of Patents
Washington, D.C. 20231

SIR:

In accordance with 37 C.F.R. § 1.56, Applicants respectfully request that the
references relating to the above-mentioned application listed herein in reverse chronological
order be made of record in the U.S. Patent and Trademark Office.

1. EP 9408009, April, 1994
2. Dunsmuir et al., Curr. Pl. Sci. and BioTech. in Agri., vol. 14, Adv. in Mol. Gen. of Plant-Microbe Interactions, Seattle Wash., July 1992, Kluwer Acad. Publ. Netherlands, pp.567-571.
3. Bojsen et al., 1992, Dev. Plant Pathol. 2 (Mech. of Pl. Def. Res.) Symposium held August 24-27, pp. 449.
4. Jach et al., 1992, Bio/Technol. 1:33-40.
5. Logemann et al., 1992, Bio/Technol. 10:305-308.
6. EP 9216632, October, 1992
7. EP 9217591, October, 1992
8. EP 9119738, December, 1991
9. Broglie et al., 1991, Science 254:1194-1197.
10. Neuhaus et al., 1991, Plant Mol. Biol. 16:141-151.
11. United States Patent No. 4,970,168 by Tumer, issued November 1990.
12. DE 4040954, December, 1990
13. Potrykus, 1990, Bio/Technology 8:535-542.
14. EP 8904371, May 1989
15. Lee and Mundy, 1989, Plant Molecular Biol. 12:673-682.
16. DE 3810286. March, 1988
17. Topfer et al., 1987, Nucl. Acids Res. 15:5890.

18. Hahlbrock and Grisebach, 1979, Ann. Rev. Plant. Physiol. 30:105-130.

19. Boller, 1985, Cellular and Molecular Biology of Plant Stress, UCLA Symp.
Mol. Cell. Biol. New Ser. 22:247-262.

The referenced citations are listed in the accompanying PTO Form 1449, and copies of the references were provided in the ultimate parent of the above-identified application, now United States Patent No. 5,689,045. Identification of the above-listed references is not to be construed as an admission of the Applicants or the attorneys of the Applicants that such references are available as "prior art" against the subject application.

Applicants respectfully request that the Examiner review the foregoing references and that the references be made of record in the file history of the above-mentioned application.

Please charge our Deposit Account No. 02-4377 if there is any additional fee required. Two copies of this sheet are enclosed.

Respectfully submitted,



Arthur S. Tenser
PTO Reg. No. 18,839

Lisa B. Koler
PTO Reg. No. 35,225

Attorneys for Applicants
(212) 408-2500

* Examiner: Initial citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449 U.S. Department of Commerce
(REV. 2-82) Patent and Trademark Office

Atty. Docket No.
29542 FWC I CPA

Serial No.
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**INFORMATION DISCLOSURE STATEMENT
BY APPLICANT**
(Use several sheets if necessary)

Applicant
Logemann et al.

Filing Date
herewith

Group
to be assigned

OTHER DOCUMENTS (including Author, Title Date, Pertinent Pages, Etc.)

4		Jach et al., 1992, Bio/Technol. <u>1</u> :33-40.
5		Logemann et al., 1992, Bio/Technol. <u>10</u> :305-308.
9		Broglie et al., 1991, Science <u>254</u> :1194-1197.
10		Broglie et al., 1991, Science <u>254</u> :1194-1197.
13		Potrykus, 1990, Bio/Technology <u>8</u> :535-542.
15		Lee and Mundy, 1989, Plant Molecular Biol. <u>12</u> :673-682.
17		Topfer et al., 1987, Nucl. Acids Res. <u>15</u> :5890.
18		Hahlbrock and Grisebach, 1979, Ann. Rev. Plant. Physiol. <u>30</u> :105-130.
19		Boller, 1985, Cellular and Molecular Biology of Plant Stress, UCLA Symp. Mol. Cell. Biol. New Ser. <u>22</u> :247-262.

Examiner

Date Considered

* Examiner: Initial citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.